

SCREENING FORM AND ENVIRONMENTAL ACTION FORM FOR A LOW-EFFECT HCP DETERMINATION

I. Project Information

A. Project name: Seascape Place Single-Family Residence Habitat Conservation Plan

B. Affected species: Morro shoulderband snail (*Helminthoglypta walkeriana*)

C. Project size: 2.79 acres

D. Brief project description including minimization and mitigation plans:

Purpose: The Seascape Place Single-Family Residence Habitat Conservation Plan (HCP) supports an application for issuance of a section 10(a)(1)(B) incidental take permit (ITP) to Drs. Matthew Lotysch and Clarita Amurao. The ITP would authorize incidental take of the federally endangered Morro shoulderband snail associated with the construction of a single-family residence and associated uses, including habitat restoration within an onsite conservation easement.

Need: Protocol-level surveys for Morro shoulderband snail conducted in 2017 found species presence on both parcels. Actions associated with site preparation (habitat loss) and construction, as well as habitat restoration activities associated with habitat restoration within an onsite conservation easement are likely to result in unavoidable take of the species.

Proposed Project: The ITP would cover take of Morro shoulderband snail associated with the construction of a single-family residence, including habitat restoration within an onsite conservation easement. We expect the development portion of project implementation to result in the loss of approximately 1.42 acres of coastal dune scrub where live Morro shoulderband snails occur.

Permit Term: The requested permit duration is 10 years and the ITP would be eligible for renewal in accordance with HCP section 6.3.4 and 50 CFR 13.22.

Covered Lands: The ITP would address 2.79 acres legally described as County of San Luis Obispo Assessor Parcel Numbers 074-024-012 and 074-024-014. The contiguous parcels are physically located at the western terminus of Seascape Place, west of Pecho Road, in the unincorporated community of Los Osos, San Luis Obispo County, California.

Species Occupation and Baseline: Surveys conducted for Morro shoulderband snail in 2017 confirmed the presence of live individuals in low numbers in the eastern portion of the eastern parcel, with shell (some fresh) of the species detected in the northern halves of each parcel.

Species Goals: The HCP identifies two species goals: 1) to minimize take of Morro shoulderband snail in the form of injury or mortality and 2) to mitigate for unavoidable take.

Minimization and Mitigation Measures

Implementation of minimization and mitigation measures will lessen the severity of effects and compensate for unavoidable take of Morro shoulderband snail as well as contribute to its conservation and recovery.

Minimization Measures: HCP sections 5.2.2 and 5.2.3 identify and detail those measures the applicants will implement to minimize take of Morro shoulderband snails in the form of injury or mortality. The applicants commit to:

- install temporary construction fencing to prevent accidental ingress into the conservation easement area during work activities;
- conduct pre-activity surveys for Morro shoulderband snail to capture and move individuals out of harm's way into the conservation easement area;
- develop and deliver environmental awareness training to all individuals who will be working onsite; and
- conduct construction monitoring to find and move identified individual Morro shoulderband snails out of harm's way.

Mitigation Measures: HCP sections 5.2.2 and 5.2.4 discuss the mitigation for unavoidable take of Morro shoulderband snail, which consists of the dedication of a conservation easement (CE) to the County of San Luis Obispo (County). The CE will be approximately 1.37 acres in size with its configuration in substantial conformance with that depicted on HCP Figure 5. County recordation of the CE will be required prior to any site disturbance, habitat removal, or use/reliance on County permits. Allowable activities within the CE will be restricted to those associated with habitat restoration, enhancement, and management as well as pedestrian access to State Park lands contiguous to the west.

Monitoring and Reporting

Monitoring: HCP section 5.3 discusses the required monitoring. Project effects monitoring will include pre-construction awareness training, as well as pre- and concurrent construction monitoring activities. A Service-approved biologist will be present during the initial grading and excavation activities (e.g., clearing of vegetation and stripping of the surface soil layer) to monitor for Morro shoulderband snail presence and to move identified individuals out of harm's way. This biologist will notify the Service's Ventura Fish and Wildlife Office of any "stop work" order(s), which will remain in effect until the identified issue has been resolved. Upon completion of site grading activities, this biologist will visit the project site throughout the construction period to ensure that impacts to the project site comply with permit terms and conditions. During periods of rain or heavy fog/dew, he/she will conduct pre-activity surveys to ensure no Morro shoulderband snails have moved back into the work area. Construction work will commence after the biologist determines that the work area is clear of Morro shoulderband snails.

Reporting: Monitoring results will be part of the required annual reports, which are due to the Service by December 31 each year. They will include, at a minimum, the following: (1) a brief

summary of project activities conducted during the reporting year; (2) project impacts/description of any take that occurred for each covered species; and (3) results of monitoring and surveys.

II. Does the HCP fit the following low-effect criteria?

A. Are the effects of the HCP minor or negligible on federally listed, proposed, or candidate species and their habitats covered under the HCP prior to implementation of the minimization and mitigation measures? Yes. While Morro shoulderband snails are present in coastal dune scrub habitat onsite, only low number of live individuals were observed in 2017.

B. Are the effects of the HCP minor or negligible on other environmental values or resources (e.g., air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, etc.) prior to implementation of the minimization and mitigation measures? Yes. The proposed project involves site preparation and construction of a single-family residence on existing, legal parcels zoned for this use. We do not anticipate that site development will result in significant effects to the human environment.

C. Would the impacts of this HCP, considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects not result, over time, in cumulative effects to environmental values or resources that would be considered significant? As discussed previously, the proposed Seascape Place project involves the construction of a single residence and dedication of remaining lands in a CE that will be dedicated to the County of San Luis Obispo in perpetuity. As such, we determine that project implementation is not likely to result in significant cumulative effects to environmental values or resources.

III. Do any of the exceptions to categorical exclusions apply to this HCP? (Form 516 DM 2.3, Appendix 2)

Would implementation of the HCP:

A. Have significant adverse effects on public health or safety? No. The Seascape Place HCP supports the issuance of an ITP for Morro shoulderband snail associated with the construction of a single-family residence, dedication of a conservation easement on private property, and limited habitat restoration within this easement.

B. Have adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, migratory birds, or ecologically significant or critical areas? No. The project site is located in an area that has been undergoing various levels of developments for many years. Native coastal dune scrub are present onsite; however, there are no unique geographic characteristics such as parks, recreation, or refuge lands; wilderness areas; wild or scenic rivers; drinking water aquifers; prime farmlands; wetlands; floodplains; or ecologically significant areas.

C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)]? No. The project is consistent with County of San Luis Obispo zoning laws and regulations.

D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks? No. The project is limited in size and scope and limited to one residence with supporting infrastructure/landscaping and habitat restoration.

E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects? No. As state above, the project is limited in size and scope to a single residence and its supporting infrastructure and landscaping on existing, legal parcels.

F. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects? No. This is a single-action not related to any other.

G. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places? No. The parcels are undeveloped and a survey conducted in 1989 did not reveal the presence of any structures or objects listed or eligible for listing on the National Register of Historic Places.

H. Have adverse effects on federally listed or species proposed for Federal listing, or have significant impacts on designated critical habitat for listed species? No. While the project parcels are located in critical habitat unit 1 (Morro Sit and West Pecho) for Morro shoulderband snail, they comprise only 0.15 percent of the 1,830-acre unit and is contiguous with existing single-family residential development. Approximately 50 percent of the coastal dune scrub (including where live individuals were documented) onsite will be conserved in a CE for the species. We do not expect the loss of 1.42 acres of coastal dune scrub habitat to preclude or adversely affect recovery of the Morro shoulderband snail.

I. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment? No. The HCP supports the issuance of an ITP that would authorize take of Morro shoulderband snail incidental to otherwise lawful activities. This project will be subject to review pursuant to the County of San Luis Obispo's Local Coastal Plan. Project implementation will require issuance of a minor use permit by the County of San Luis Obispo and a Coastal Development Permit. An archaeological survey conducted in 1989 did not identify any resources of cultural significance on either parcel. Demonstration that the applicants are in receipt of an ITP will be a required condition of the issuance of any County of San Luis Obispo permits necessary to allow site preparation or development activities.

J. Have adverse effects on wetlands, floodplains or be considered a water development project thus requiring compliance with either Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife

Coordination Act? No. The site is comprised wholly of terrestrial upland coastal dune scrub habitat. There are no wetlands or floodplains onsite. The project is the construction and occupancy of a single-family residence and, therefore, not considered a water development project.

K. Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)? No. This project involves the construction of a single-family residence to be owner-occupied.

L. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007)? No. An archaeological survey conducted in 1989 did not identify any sacred lands used by Native American religious practitioners onsite nor are such lands found proximal to the project location.

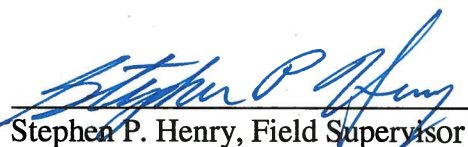
M. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and EO 13112)? No. This project will include removal of areas of invasive non-native perennial veldt grass associated with the restoration of disturbed areas within an onsite conservation easement to native coastal dune scrub habitat.

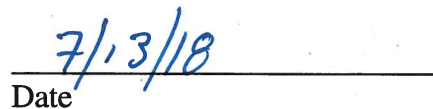
ENVIRONMENTAL ACTION STATEMENT

Based on the analysis above, the Seascape Place HCP qualifies for use of a categorical exclusion as its National Environmental Policy Act compliance as defined in the Service's *Habitat Conservation Planning Handbook* and is excluded from further National Environmental Policy Act documentation as provided by 516 DM 2, Appendix 1 and 516 DM 6, Appendix 1.

Other supporting documents: Final Draft Habitat Conservation Plan for the Morro Shoulderband Snail (*Helminthoglypta walkeriana*), 85 Seascape Place (APNs 074-024-012 and 074-024-014), Community of Los Osos, San Luis Obispo County California (EcoVision Partners 2018).

Concurrence:


Stephen P. Henry, Field Supervisor


Date

